Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes   MNDC, RP, RR, PSF, FF

Introduction:

The tenant has applied for an Order to make repairs, reduce rent, , provide services, as well as seeking a monetary Order for compensation for a breach of the covenant of quiet enjoyment.

Facts:

A hearing was conducted in the presence of both parties. A tenancy began on December 27, 2014 with rent in the amount of $ 650.00 due in advance on the first day of each month. The tenant paid a security deposit amounting to $ 325.00 on December 1, 2014.

Settlement:

The parties settled this matter and I have recorded the agreement pursuant to section 63(2) as follows:

    a.   The parties have agreed to end the tenancy effective July 31 2015 at 1:00 PM,

    b.   The landlords agree to compensate the tenant with the sum of $ 1,000.00 as consideration for this settlement,

    c.   The tenant is permitted to deduct the aforementioned sum of $ 1,000.00 from his next rental payments and thereafter to pay full rent throughout the remainder of the tenancy, and

    d.   If the tenant moves out before he is able to deduct the entire $ 1,000.00 from his rent, the landlords must pay him the remaining amount owing.

Conclusion:

As a result of the settlement I have granted the landlords an Order for Possession effective July 31, 2015 at 1:00 PM. This order may be enforced in the Supreme Court of B.C. The landlords are to pay the tenant the sum of $ 1,000.00 which may be deducted from the tenant's next rental payments. There shall be no order as to reimbursement of the filing fee herein. I have dismissed the entire tenant's other claims herein. The parties are cautioned to deal with the security deposit in compliance with section 38 of the Act.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act.*

Dated: April 14, 2015

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Residential Tenancy Branch